

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Kenneth R. Weber)	
)	Case No. 19-22111-JAD
)	
)	Chapter 13
Debtor(s).)	
	X	Related to Docs. #88 and 94

ORDER OF COURT
(Check Boxes That Apply)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Confirming Plan on Final Basis | <input type="checkbox"/> Chapter 13 Plan dated:
_____ |
| <input type="checkbox"/> Authorizing Distributions Under Plan
On Interim Basis Solely as Adequate Protection | <input checked="" type="checkbox"/> Amended Chapter 13 dated:
3-1-22 |

IT IS HEREBY ORDERED that the Chapter 13 Plan Payment is \$1663 effective 12/2019.

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$1,733.00, beginning 12/2022. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee’s TFS online payment program.

- ☐ B. The length of the Plan is changed to a total of at least ____ months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.
- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
- _____
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:
- _____

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
-
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
-
- ☒ K. Additional Terms and Conditions:
*Unsecured pool is revised to \$23,450 at 85%
*No further payments to Linda B. Schwartz as payments are proper/ratified
*New Residential Mortgage CL#10-2 paid principal balance of \$27,382.86 at 3.625% with on-going escrow with payment changes of record.

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded,

Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.


E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: 11/23/2022


United States Bankruptcy Judge
Jeffery A. Deller

cc: All Parties in Interest to be served by Clerk

CONSENT:

/S/ Susan J. Pearlstein, Esquire
Susan J. Pearlstein, Esquire
Attorney for Kenneth R. Weber

FILED
11/23/22 11:28 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

/S/ Owen Katz, Esquire
Owen Katz, Esquire
for Chapter 13 Trustee

In re:
Kenneth R. Weber
Debtor

Case No. 19-22111-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Nov 23, 2022

User: auto
Form ID: pdf900

Page 1 of 4
Total Noticed: 58

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 25, 2022:

Recip ID	Recipient Name and Address
db	+ Kenneth R. Weber, 2504 Sunset Dr., West Mifflin, PA 15122-3563
intp	+ Nicholas Bandola, 713 Clearview Drive, Dravosburg, PA 15034-1024
intp	+ Peter D Friday, Friday & Cox LLC, 1405 McFarland Rd., Pittsburgh, PA 15216, UNITED STATES 15216-2373
15117299	+ Auto Owners Ins. Company A/S/O Weber, Kenneth J., Wilber & Associates, 210 Landmark Dr, Normal, IL 61761-2119
15058483	+ Capital One Bank, PO Box 30277, Salt Lake City, UT 84130-0277
15458521	+ Credit Acceptance Financial Services, Inc., 25505 West 12 Mile Road, #3000, Southfield, MI 48034-8331
15058485	+ Dietech Financial LLC, PO Box 6154, Rapid City, SD 57709-6154
15058487	+ Hayt Hayt & Landau, Two Industrial Way West, Eatontown, NJ 07724-2279
15058489	+ Kenneth J. Weber, Allegheny County Jail, 950 2nd Avenue, DOC#1417832E, Pittsburgh, PA 15219-3100
15058493	+ Linda B. Schwartz, c/o J.J. Land Co., 5738 Baum Blvd., Pittsburgh, PA 15206-3781
15058496	+ McQuarters Realty Co., 5701 Centre Ave. L6, Pittsburgh, PA 15206-3790
15058498	+ Molly M. Gallo, 132 Sherman St., Lisbon, OH 44432-1030
15058499	+ National Enterprise Systems, 2749 Edison Blvd. Unit A, Twinsburg, OH 44087
15058500	+ Nicholas Bandola, c/o G. Christopher Apsessos, Esquire, Friday & Cox LLC, 1405 McFarland Rd., Pittsburgh, PA 15216-2373
15072030	+ Pidos Pub, 1129 Ravine St., Munhall, PA 15120-2140
15058505	+ R. Sean O'Connell, Esq., Craig W. Beil, Esq., Robb Leonard Mulvihill, LLP, 500 Grant St. Suite 2300, Pittsburgh, PA 15219-2508
15058509	+ Sears Security Operations, PO Box 6286, Sioux Falls, SD 57117-6286
15058516	+ Wells Fargo Bank, PO Box 522, Des Moines, IA 50306-0522

TOTAL: 18

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: RASEBN@raslg.com	Nov 23 2022 23:49:00	Ditech Financial LLC, RAS Citron, LLC, 130 Clinton Road, Suite 202, Fairfield, NJ 07004-2927
cr	+ Email/Text: kborkley@bernsteinlaw.com	Nov 23 2022 23:50:00	Duquesne Light Company, c/o Bernstein-Borkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	+ Email/Text: mtgbk@shellpointmtg.com	Nov 23 2022 23:49:00	New Residential Mortgage LLC, c/o NewRez LLC dba Shellpoint Mortgage, P.O. Box 10826, Greenville, SC 29603-0826
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 23 2022 23:54:52	PRA Receivables Management LLC, POB 41067, Norfolk, VA 23541-1067
cr	+ Email/PDF: rmscedi@recoverycorp.com	Nov 23 2022 23:54:52	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr	+ Email/Text: ebnpeoples@grblaw.com	Nov 23 2022 23:49:00	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
15105882	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Nov 23 2022 23:49:00	ACAR Leasing LTD d/b/a GM Financial Leasing, PO Box 183853, Arlington, TX 76096-3853
15058479	+ Email/Text: bankruptcydepartment@tsico.com	Nov 23 2022 23:50:00	Altran Financial, PO Box 4044, Concord, CA 94524-4044
15058480	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Nov 23 2022 23:54:59	Best Buy Credit Services, PO Box 790441, Saint

District/off: 0315-2

User: auto

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			Louis, MO 63179-0441
15058481	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Nov 23 2022 23:54:42	Capital One Bank, PO Box 30285, Salt Lake City, UT 84130-0285
15058484	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Nov 23 2022 23:54:52	CitiBank CitiCards, PO Box 6077, Sioux Falls, SD 57117-6077
15098888	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Nov 23 2022 23:54:45	Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0432
15058486	Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Nov 23 2022 23:49:00	GM Financial Leasing, PO Box 181145, Arlington, TX 76096-1145
15058488	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Nov 23 2022 23:54:59	Home Depot, Credit Services, PO Box 790328, Saint Louis, MO 63179-0328
15058491	+ Email/Text: Documentfiling@lciinc.com	Nov 23 2022 23:49:00	Lending Club, 595 Market St. #200, San Francisco, CA 94105-2802
15117277	+ Email/Text: Documentfiling@lciinc.com	Nov 23 2022 23:49:00	LendingClub Corporation, 595 Market St, Suite 200, San Francisco, CA 94105-2807
15058492	Email/PDF: gecsed@recoverycorp.com	Nov 23 2022 23:54:57	Levin Furniture, Synchrony Bank, Attn: Bankruptcy Dept., PO Box 965064, Orlando, FL 32896-5064
15058494	Email/PDF: gecsed@recoverycorp.com	Nov 23 2022 23:54:42	Lowe's Synchrony Bank, Attention: Bankruptcy Dept., PO Box 965060, Orlando, FL 32896-5060
15058495	Email/PDF: gecsed@recoverycorp.com	Nov 23 2022 23:54:56	Lowe's Synchrony Bank, PO Box 965004, Orlando, FL 32896-5004
15092712	+ Email/Text: bankruptcydpt@mcmcg.com	Nov 23 2022 23:49:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
15058497	+ Email/Text: bankruptcydpt@mcmcg.com	Nov 23 2022 23:49:00	Midland Funding, 1 International Plaza 5th Floor, Philadelphia, PA 19113-1510
15099628	+ Email/Text: mtgbk@shellpointmtg.com	Nov 23 2022 23:49:00	New Residential Mortgage LLC, c/o NewRez LLC dba Shellpoint Mortgage S, PO Box 10826, Greenville, SC 29603-0826
15156629	Email/Text: mtgbk@shellpointmtg.com	Nov 23 2022 23:49:00	New Residential Mortgage, LLC, c/o NewRez LLC, d/b/a Shellpoint Mortgage Servicing, PO Box 10826, Greenville, South Carolina 29603-0826
15058503	Email/Text: Bankruptcy.Notices@pnc.com	Nov 23 2022 23:49:00	PNC Bank, 2730 Liberty Ave., DRU, P5-PCLC-01-J, Pittsburgh, PA 15222
15058501	Email/Text: Bankruptcy.Notices@pnc.com	Nov 23 2022 23:49:00	PNC Bank, Box 1820, Dayton, OH 45401
15058502	Email/Text: Bankruptcy.Notices@pnc.com	Nov 23 2022 23:49:00	PNC Bank, PO Box 3429, Pittsburgh, PA 15230
15058504	Email/Text: Bankruptcy.Notices@pnc.com	Nov 23 2022 23:49:00	PNC Bank, PO Box 609, Pittsburgh, PA 15230-9738
15098834	Email/Text: Bankruptcy.Notices@pnc.com	Nov 23 2022 23:49:00	PNC Bank, National Association, P.O. Box 94982, Cleveland, OH 44101
15098799	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 23 2022 23:54:44	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15072031	+ Email/Text: debtnet@wilberggroup.com	Nov 23 2022 23:49:00	Pidos Pub (Auto Owners Insurance), C/O Wilber & Associates, 210 Landmark Drive, Normal, IL 61761-2119
15077078	Email/Text: bnc-quantum@quantum3group.com	Nov 23 2022 23:49:00	Quantum3 Group LLC as agent for, Velocity Investments LLC, PO Box 788, Kirkland, WA 98083-0788
15058510	Email/PDF: ais.sprint.ebn@aisinfo.com	Nov 23 2022 23:54:56	Sprint, Legal Department, PO Box 4600, Reston, VA 20195
15058508	Email/PDF: Citi.BNC.Correspondence@citi.com		

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User: auto

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		Nov 23 2022 23:54:52	Sears Mastercard, PO Box 6282, Sioux Falls, SD 57117-6282
15058507	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Nov 23 2022 23:54:45	Sears Mastercard, PO Box 6286, Sioux Falls, SD 57117-6286
15058789	+ Email/PDF: gecsedl@recoverycorp.com	Nov 23 2022 23:54:50	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15058511	+ Email/PDF: gecsedl@recoverycorp.com	Nov 23 2022 23:54:56	Synchrony Bank JCP, PO Box 965009, Orlando, FL 32896-5009
15058512	Email/PDF: gecsedl@recoverycorp.com	Nov 23 2022 23:54:57	Synchrony Bank/Mohawk, PO Box 965004, Orlando, FL 32896-5004
15058513	Email/PDF: gecsedl@recoverycorp.com	Nov 23 2022 23:54:57	Synchrony Home, Attn: Bankruptcy Dept., PO Box 965064, Orlando, FL 32896-5064
15058514	Email/Text: bknotice@upgrade.com	Nov 23 2022 23:49:00	Upgrade, 2 N. Central Ave. Floor 10, Phoenix, AZ 85004
15058515	Email/PDF: gecsedl@recoverycorp.com	Nov 23 2022 23:54:50	Walmart, Synchrony Bank, Attention: Bankruptcy Dept., PO Box 965064, Orlando, FL 32896-5064
TOTAL: 40			

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		NewRez LLC d/b/a Shellpoint Mortgage Servicing
cr		PNC BANK NATIONAL ASSOCIATION
15058506		Sarah Weber, unknown
15058482	*+	Capital One Bank, PO Box 30285, Salt Lake City, UT 84130-0285
15058490	*+	Kenneth J. Weber, Allegheny County Jail, 950 2nd Avenue, DOC#1417832E, Pittsburgh, PA 15219-3100

TOTAL: 3 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 25, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 23, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bnicholas@kmlawgroup.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Lauren Berschler Karl	

District/off: 0315-2

User: auto

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on behalf of Creditor Ditech Financial LLC lkarl@rascrane.com lbkarl03@yahoo.com

Michael J Shavel

on behalf of Creditor New Residential Mortgage LLC mshavel@hillwallack.com
ldejesus@hillwallack.com;lharkins@ecf.courtdrive.com;mshavel@ecf.courtdrive.com;aemberger@ecf.courtdrive.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Peter D Friday

on behalf of Interested Party Nicholas Bandola pfriday@fridaylaw.com paralegals@fridaylaw.com

Peter D Friday

on behalf of Interested Party Peter D Friday pfriday@fridaylaw.com paralegals@fridaylaw.com

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

Susan J. Pearlstein

on behalf of Debtor Kenneth R. Weber suemejp@gmail.com lp@ggvlaw.com

TOTAL: 10